

In South Bend, Indiana DISCRIMINATION IS ILLEGAL. It is against the law to deny employment, housing, education, or public services because of a person's race, sex, color, religion, national origin, disability, familial status, gender identification, or sexual orientation. The local anti-discrimination law is enforced by the South Bend Human Rights Commission.

## **JURISDICTION**

The jurisdictional requirements of the SBHRC are:

Charge clearly must be discriminatory treatment based on race, sex, color, religion, national origin, disability, familial status, sexual orientation, or gender identification.

Charge must be filed within 90 days of the date of the alleged violation for employment.

The SBHRC also files charges for the Equal Employment Opportunity Commission (EEOC) in the area of employment only. Jurisdictional requirements for the EEOC are: Must be filed within 180 days of the occurrence of the discrimination. The bases include Age, Race, National Origin, Sex, Religion, Color, Equal Pay Act (EPA), Disability and Genetic Information Non-Discrimination Act (GINA). The employer must have at least 15 employees. In housing, the charge must be filed within 365 days of the alleged violation.

Respondents include employers (private or public), employment agencies, labor organizations, educational institutions, places of public accommodations, landlords, real estate agencies, lending institutions, insurance companies, home inspectors, appraisers, management companies or anyone who was part of the alleged discriminatory act.

In employment, education or public accommodation (person or organization filed against) must be within the city limits of South Bend, Indiana.

In housing, Respondents can reside in any jurisdiction. The alleged discriminatory act had to occur within the corporate city limits.

In employment charges, Respondent must have at least six (6) employees.

The Commission's procedure to adjudicate a charge is an administrative procedure, not a criminal one.

A Commission staff member will hear the complaint, determine whether it is within the Commission's jurisdiction, draft the wording of the charge, and prepare it in legal form for Charging Party's review, approval, and notarized signature.

The Charge will receive a docket number and will be investigated by an assigned staff member who will keep the parties advised of the progress of the case.

## **THE INVESTIGATION**

The Staff Investigator:

- 1) may interview both Charging Party, Respondent, and other witnesses;
- 2) must have access to pertinent records or documents;
- 3) may make on-site investigation of Respondent's facilities and operations, and;
- 4) must have cooperation and know Charging Party's whereabouts at all times.

The investigator recommends a finding based on the facts obtained to the Commission members at a regular Commission meeting. The Commissioners make the final decision and may find:

No Probable Cause... and move to dismiss the charge; or,

Probable Cause... and act to correct the discriminatory practice and its effects.

## **THE CONCILIATION**

Conciliation is available at any time during the investigation.

If the investigation substantiates the charges the Respondent is asked to:

- 1) cease and desist from the specific discriminatory act or practice;
- 2) implement whatever actions, programs, or compensation the Commission deems necessary to end discrimination.

## THE PUBLIC HEARING

When the charges are not successfully resolved during the conciliation, the Commission may convene a public hearing at which testimony under oath is heard, a decision rendered, and legally enforceable order issued. Respondent and Charging Party has the right to appeal this Order to the Circuit or Superior Court.

## THE PURPOSE OF THE SBHRC

The purpose of the South Bend Human Rights Commission is to study and act upon problems which involve relationships between members of different ethnic groups, sexes, nationalities, creeds, the disabled and families with children.

The South Bend Human Rights Commission's duties lie in enforcing employment, fair housing, public accommodations, and education. Their goal is to ensure equal employment opportunity for all individuals, and to provide legal recourse in the areas of discrimination.

South Bend Human Rights Commission ensures Fair Housing for EVERYONE.

**Fair Housing is not an option: IT IS THE LAW!**

## Schedule Training!

The commission staff will conduct trainings for groups of all sizes. The trainings can be held at the Commission office or your place of business.

## DUTIES AND POWERS OF THE COMMISSION:

In addition to receiving and or initiating investigations of discriminatory practices and recommending for appointment to the Mayor such personnel as may be necessary, the Commission can act as conciliator in matters involving race, sex, color, religion, national origin, disability, familial status, sexual orientation or gender identification. It can create advisory committees and sub-committees to effectuate its purposes. It can recommend to the Mayor and Common Council legislation to further purposes of the ordinance. It can take testimony of any person under oath relating to any matter in question before it. Upon the approval of the Department of Law, it can subpoena witnesses, documents, and records pertinent to matters under investigation.

## IF YOU DESIRE ADDITIONAL INFORMATION, WRITE, PHONE, OR VISIT:

South Bend Human Rights Commission  
319 N. Niles Ave. Suite 150A  
South Bend, Indiana 46617

**TELEPHONE (574) 235-9355**  
**FAX (574) 235-9803**

**WWW.SBHRC.ORG**

## SBHRC

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## HOW TO WORK WITH THE SBHRC



**SOUTH BEND HUMAN RIGHTS  
COMMISSION**

**SOUTH BEND, INDIANA**

**SBHRC.ORG**

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